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Attorneys for Defendants  
ATI Technologies ULC and  
Advanced Micro Devices, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH SALAZAR, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

NVIDIA CORPORATION; ATI  
TECHNOLOGIES, INC.; and  
ADVANCED MICRO DEVICES, INC.,

Defendants.

**Case No. C-07-00718 EDL**

**CLASS ACTION**

**STIPULATED REQUEST TO CONTINUE  
INITIAL CASE MANAGEMENT  
CONFERENCE AND ADR DEADLINES;  
[PROPOSED] ORDER**

**JURY TRIAL DEMANDED**

Plaintiff Joseph Salazar ("Plaintiff") and Defendants Nvidia Corporation  
("Nvidia"), ATI Technologies ULC and Advanced Micro Devices, Inc. (collectively "AMD")  
hereby jointly request the Court to continue the initial case management conference and related  
deadlines in this action as follows.

1. On February 2, 2007, Plaintiff filed the complaint in this action  
("Complaint"), which alleges claims under Section 1 of the Sherman Act, 15 U.S.C. §1 and  
pendant state law claims. Plaintiff styled the Complaint as a putative class action.

1                   2.       As of the date of this Stipulation, at least 46 other complaints have been  
2 filed in this and other judicial districts. All of these complaints also allege federal and/or state  
3 law antitrust claims against Nvidia and AMD and are styled as putative class actions.

4                   3.       On December 8, 2006, plaintiffs in some of the other actions pending in  
5 this district filed a motion before the Judicial Panel on Multidistrict Litigation ("JPML" or  
6 "Panel") to transfer and consolidate in this judicial district all existing and subsequently filed  
7 antitrust actions related to the claims alleged in the Complaint ("JPML Motion"). The JPML  
8 Motion is currently pending in *In re Graphics Processing Units Antitrust Litigation*, MDL  
9 Docket No. 1826.

10                  4.       On January 16, 2007, AMD and Nvidia filed a response with the JPML  
11 supporting consolidation and transfer of these actions to the Northern District of California, San  
12 Jose Division, or, in the alternative, in the Northern District of California, San Francisco  
13 Division. To date, every party responding to the JPML Motion has supported consolidation and  
14 transfer and no party has opposed it.

15                  5.       Oral argument on the JPML Motion was held on March 29, 2007 in San  
16 Antonio, Texas. The parties agree that, at some point, the JPML is likely to order transfer and  
17 consolidation of these actions.

18                  6.       In light of these facts, Plaintiff and Defendants stipulated in February 2007  
19 to extend the time for Defendants to respond to the Complaint to 30 days after (1) the order  
20 resolving the JPML motion and (2) the filing and service of any subsequent consolidated  
21 complaint, without prejudice to the right of Nvidia or AMD to seek additional time to answer or  
22 otherwise respond to the Complaint for good cause shown.

23                  7.       Given the March 29, 2007 hearing date before the JPML, the dates set  
24 forth in the Order Setting Initial Case Management Conference and ADR Deadlines entered on  
25 February 2, 2007 (the "February 2 Order"), including the deadlines imposed by Federal Rules of  
26 Civil Procedure 26, Local Rule 16, and ADR Local Rule 3.5, will likely come to pass either  
27 before or at about the same time the JPML acts on the pending motion.

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1           8. Continuing the dates set forth in the February 2 Order would avoid the  
2 expenditure of unnecessary judicial resources until it is determined whether this action will  
3 remain pending in this Court. It would also ensure consistency in pretrial rulings and be  
4 convenient for the parties, including Plaintiff.

5           9. Accordingly, the parties hereby stipulate to and respectfully request that  
6 the Court order a continuance of the dates set forth in the February 2 Order. The affected dates  
7 include (1) the deadline to meet and confer re: initial disclosures, early settlement, ADR process  
8 selection, and discovery plan (currently April 17, 2007); (2) file joint ADR documents (currently  
9 April 17, 2007); (3) complete initial disclosures and file the Case Management Statement and  
10 Rule 26(f) Report (currently May 1, 2007); and (4) the Initial Case Management Conference  
11 (currently May 8, 2007).

12           10. The parties request that the Court continue the above referenced schedule  
13 as follows: (1) the deadline to meet and confer re: initial disclosures, early settlement, ADR  
14 process selection, and discovery plan – June 5, 2007; (2) file joint ADR documents – June 5,  
15 2007; (3) complete initial disclosures and file the Case Management Statement and Rule 26(f)  
16 Report – June 19, 2007; and (4) the Initial Case Management Conference – June 26, 2007. Such  
17 a continuance will allow this matter to move forward promptly in the event that the JPML  
18 Motion is denied and further proceedings before this Court are necessary.

19           11. Except as described in Paragraph 6, the parties have sought no previous  
20 modification of the timing of any event or deadline set by the Court.

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12. The parties agree to notify the Court promptly when the Panel rules on the JPML Motion.

Respectfully submitted,

Dated: April 9, 2007

LATHAM & WATKINS LLP

By: /s/ Charles H. Samel  
Charles H. Samel (182019)

Attorneys for Defendants  
ATI TECHNOLOGIES ULC and  
ADVANCED MICRO DEVICES, INC.

Dated: April 9, 2007  
COOLEY GODWARD KRONISH LLP

Dated: April 9, 2007  
GROSS & BELSKY LLP

By: /s/ James Donato  
James Donato (146140)

By: /s/ Adam C. Belsky  
Adam C. Belsky (147800)

Attorneys for Defendant  
NVIDIA CORPORATION

Attorneys for Plaintiff  
JOSEPH SALAZAR

1 FILER'S ATTESTATION:

2 Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under penalty of  
3 perjury that the concurrence in the filing of this document has been obtained from its signatories.

4 Dated: April 9, 2007

5 By: /s/ Charles H. Samel  
Charles H. Samel

**PROPOSED ORDER**

Pursuant to the stipulation of the parties, all dates set forth in the December 20, 2006 Order Setting Initial Case Management Conference and ADR Deadlines are hereby continued as follows: (1) the deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan will be June 5, 2007; (2) the deadline to file joint ADR documents will be June 5, 2007; (3) the deadline to complete initial disclosures and file the Case Management Statement and Rule 26(f) Report will be June 19, 2007; and (4) the Initial Case Management Conference will be on June 26, 2007. The parties are ordered to notify the Court promptly when the Judicial Panel on Multidistrict Litigation rules upon the motion for consolidation pending in MDL Docket No. 1826, *In re Graphics Processing Units Antitrust Litigation*.

Pursuant to stipulation, it is so ordered.

Dated: April 9, 2007

